IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 26TH OCTOBER 2007 / 4TH KARTHIKA 1929

WP(C).No. 31920 of 2007(Y)

OS.704/2005 OF PRINCIPAL MUNSIFF,ALAPPUZHA

PETITIONER:

B.NAZEER, S/O.K.BAPU, M.A.B.COTTAGE,
MUSALIAR VALLAPPU, VALIYAKULAM WARD,
AMBALAPUZHA, ALAPPUZHA - 688 001.

BY ADV. SRI.P.VINODKUMAR

RESPONDENTS:

1. THE KERALA WATER AUTHORITY,
REPRESENTED BY ITS SECRETARY,
WATER CAMPUS, K.W.A. HEAD OFFICE,
JALA BHAVAN, THIRUVANANTHAPURAM - 33.

2. THE SUPERINTENDING ENGINEER,
KERALA WATER AUTHORITY,
PUBLIC HEALTH CIRCLE,
KOTTAYAM - 1.

ADV. SRI. M. DINESH, SC KWA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N.KRISHNAN, J

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W.P.(C) No.31920 OF 2007

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Dated this the 26th day of October 2007

JUDGMENT

This writ petition is filed for a direction to the Munsiff's Court, Alappuzha to dispose of O.S.No.709 of 2005 on the ground it involves public interest and the Government exchequer will be loosing considerable amount.

2. Heard the learned counsel on both sides. The suit is of the year 2005 and one cannot say that it is an old suit which requires preference to be disposed of. It is only that court which knows about the position. The writ petition is disposed of permitting the petitioner to file an application before the concerned Munsiff's Court for preferential trial and that court after taking into consideration all the circumstances and hearing the other side will take a decision on the application.

M.N.KRISHNAN, JUDGE

Cdp/-